

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DENNIS O' KANE,

Plaintiff,
-against-

ORDER
10-CV-5325 (JS) (ETB)

TIMOTHY F. GEITHNER, SECRETARY,
DEPARTMENT OF TREASURY,

Defendant.

-----x
APPEARANCES:

For Plaintiff: Dennis M. O' Kane, Pro Se
1 Bee Drive
Hauppauge, NY 11788

For Defendant: No Appearance

SEYBERT, District Judge:

Pending before the Court is the application to proceed in forma pauperis of pro se plaintiff Dennis O' Kane ("Plaintiff"). Plaintiff filed a Complaint in this Court pursuant to the Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112-12117 (amended by the Civil Rights Act of 1991, Pub. L. No. 102-166) against his employer alleging that he was subjected to unlawful discrimination and retaliation based on his disability, psoriasis.

Upon review of the declaration accompanying Plaintiff's application, I find that Plaintiff's financial status qualifies him to commence this action without prepayment of the filing fee. See 28 U.S.C. § 1915(a)(1). Accordingly, Plaintiff's application to proceed in forma pauperis is granted. The United States Marshal Service is directed to serve the Complaint upon the Defendant

without prepayment of the filing fee.

SO ORDERED.

JS JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: November 29, 2010
Central Islip, New York